

★ Roll Call Number

Agenda Item Number
60

Date March 24, 2008

WHEREAS, on March 10, 2008 by Roll Call No. 08-389 it was duly resolved by the City Council that the request from Cornerstone Family Church for approval of a PBP (Planned Business Park) Concept Plan for "Cornerstone Family Church" in the vicinity of 4375 SW 63rd Street to allow development of 16.3 acres as an office business park use and a four (4) acre outlot be set down for hearing on March 24, 2008 at 5:00 p.m. in the Council Chambers at City Hall; and

WHEREAS, due notice of the hearing was published in the Des Moines Register on March 15, 2008; and


WHEREAS, in accordance with the notice, those interested in the proposed PBP Concept Plan, for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That upon consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed approval of the PBP Concept Plan are hereby overruled, and the hearing is closed.

Moved by _____ to adopt.

APPROVED AS TO FORM:



Michael F. Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

★ Roll Call Number

Agenda Item Number

29A

Date March 10, 2008

COMMUNICATION from the City Plan and Zoning Commission advising that at a public hearing held on February 21, 2008, the members voted 12-0 in support of a motion to APPROVE the request from Cornerstone Family Church for approval of a preliminary subdivision plat for "Cornerstone Family Church Plat 1" for property located in the vicinity of 4375 SW 63rd Street subject to the following conditions:

1. Compliance with all Preliminary Plat requirements of the Permit and Development Center.
2. Provision by way of covenants running with the land that Lots 1 through 6 are responsible for construction of the remaining section of Stanton Avenue that will in the future extend eastward from the cul-de-sac to the proposed Southwest Connector.

Moved by _____ to receive and file.

APPROVED AS TO FORM:

NOTE: The final subdivision plat will be submitted for City Council approval at a later date.


Michael F. Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

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City Clerk

294
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March 10, 2008

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held February 21, 2008, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
David Cupp				X
Shirley Daniels	X			
Dann Flaherty	X			
Bruce Heilman	X			
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz	X			
Kaye Lozier	X			
Jo Anne Corigliano	X			
Brian Millard	X			
Mike Simonson				X
Kent Sovern	X			
Tim Urban	X			
Marc Wallace				X



CITY PLAN AND ZONING COMMISSION
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309 -1881
(515) 283-4182

ALL-AMERICA CITY
1949, 1976, 1981
2003

APPROVAL of a PBP Conceptual Plan for "Cornerstone Family Church" located in the vicinity of 4375 SW 63rd Street to allow development of 16.3 acres for office/business park use and a four (4) acre outlot, subject to the following:
(ZON2007-00175)

1. Prohibition of off-premises advertising signs.
2. Replacement of the opening statement under the *Development Standards* heading with the following: "All provisions of Division 14, PBP District Regulations, City of Des Moines Zoning Ordinance are incorporated as well as the following standards."
3. Removal of notes 1 through 6 under the *Development Standards* heading.
4. Addition of parking lot setback notes under the *Setbacks* heading as required by Section 134-739(3) of the Zoning Ordinance.
5. Provision of a 10' minimum parking lot setback from the south property line of Outlot Z.
6. Replacement of the *Planting Plan* statement under the *Landscaping* heading with the following: "A planting plan must be submitted as part of any Development Plan and must be signed by a landscape architect registered in the State of Iowa."
7. Compliance with all Preliminary Plat requirements of the Permit and Development Center.

8. Provision of covenants on Lots 1 through 6 that waive the owners' right to protest a future special assessment when the City constructs the remaining portion of the north/south street.

By separate motion members voted 12-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
David Cupp				X
Shirley Daniels	X			
Dann Flaherty	X			
Bruce Heilman	X			
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz	X			
Kaye Lozier	X			
Jo Anne Corigliano	X			
Brian Millard	X			
Mike Simonson				X
Kent Sovern	X			
Tim Urban	X			
Marc Wallace				X

APPROVAL of a preliminary subdivision plat "Cornerstone Family Church Plat 1", subject to the following:

(13-2008-1.31)

1. Compliance with all Preliminary Plat requirements of the Permit and Development Center.
2. Provision of covenants that Lots 1 through 6 are responsible for construction of the remaining portion of Stanton Avenue that will extend to the SW Connector in the future.

Written Responses

1 In Favor

0 In Opposition

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Part A) Staff recommends approval of the Cornerstone Family Church PBP Concept Plan subject to the following:

1. Prohibition of off-premises advertising signs.
2. Replacement of the opening statement under the *Development Standards* heading with the following: "All provisions of Division 14, PBP District Regulations, City of Des Moines Zoning Ordinance are incorporated as well as the following standards."
3. Removal of notes 1 through 6 under the *Development Standards* heading.
4. Addition of parking lot setback notes under the *Setbacks* heading as required by Section 134-739(3) of the Zoning Ordinance.
5. Provision of a 10' minimum parking lot setback from the south property line of Outlot Z.
6. Replacement of the *Planting Plan* statement under the *Landscaping* heading with the following: "A planting plan must be submitted as part of any Development Plan and must be signed by a landscape architect registered in the State of Iowa."
7. Compliance with all Preliminary Plat requirements of the Permit and Development Center.
8. Provision of covenants on Lots 1 through 6 that waive the owners' right to protest a future special assessment when the City constructs the remaining portion of the north/south street.

Part B) Staff recommends approval of the Cornerstone Family Church Plat 1 subject to the following:

1. Compliance with all Preliminary Plat requirements of the Permit and Development Center.
2. Provision of covenants on Lots 1 through 6 that waive the owners' right to protest a future special assessment when the City constructs the remaining portion of the north/south street.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The subject property is zoned "C-2" District, "PBP" District and "M-1" District. The "M-1" portion of the site consists of a narrow triangle along the properties northern property line. The "PBP" portion generally consists of the north half of the property minus the "M-1" area with the southern half consisting of the "C-2" District.

The applicant has submitted a Concept Plan for the "PBP" portion of the property and a preliminary plat for the entire property for review and approval.

2. **Size of Site:** The PBP Concept Plan area measures 20.012 acres. The area proposed for platting measures 46.502 acres.
3. **Existing Zoning (site):** "PBP" Planned Business Park, "Limited "C-2" General Retail and Highway-Oriented Commercial District, and "M-1" Light Industrial District.
4. **Existing Land Use (site):** Undeveloped land used for agricultural production.
5. **Adjacent Land Use and Zoning:**

North – *"Limited "M-1" requiring any improvement to be constructed to allow placement of a future street within the north 33' of the property and to comply with the required 25' front yard setback for such street. Use is Loffredo Produce.*

South – *Limited "C-2" requiring any future subdivision of the property to dedicate necessary right-of-way for street extensions as determined by the City. Use is agricultural production.*

East – *"R1-80", Uses are agricultural production and large lot single-family residential.*

West – *"OS" Agricultural/Open Space (West Des Moines), Use is Brown's Woods State Forest Preserve.*

6. **General Neighborhood/Area Land Uses:** The subject property is located along the SW 63rd Street (Iowa Highway 28) corridor in an area that consists of office and light industrial uses and undeveloped land. The area also includes some large lot rural single-family residential uses.
7. **Applicable Recognized Neighborhood(s):** Southwestern Hills Neighborhood.
8. **Relevant Zoning History:** In 2004 the applicant proposed rezoning the "PBP" and "M-1" portions of the property to the "C-2" District. The request was withdrawn before it could be acted on by the City Council.
9. **2020 Community Character Land Use Plan Designation:** Planned Business Park.

- 10. Applicable Regulations:** The Commission reviews all proposals to amend zoning regulations or zoning district boundaries within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in §414.3 of the Iowa Code. The Commission may recommend that certain conditions be applied to the subject property if the property owner agrees, in writing, prior to the City Council Hearing. The recommendation of the Commission will be forwarded to the City Council.

The Commission shall determine if such preliminary plat conforms to the standards and requirements outlined in Chapter 354 of the Iowa Code, and the City Subdivision Ordinance and shall approve, conditionally approve or reject such plat within 45 days after the date of submission to the City Permit and Development Center. Unless the applicant agrees in writing to an extension of time, the preliminary plat shall be deemed approved if the Commission does not act within such 45-day period. The Commission's action for approval or conditional approval shall be null and void unless the final plat is submitted to the City Permit and Development Center within 270 days after the date of such action; provided, however, that the Permit and Development Administrator may grant, upon written request of the applicant, up to a 90-day extension for submittal of the final plat to the City Permit and Development Center.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Natural Site Features:** The subject site is currently used for agricultural production. Tree canopy is limited to the southwest corner of the site at the location of a former farmstead.
- 2. Drainage/Grading:** The submitted information shows grading for lot and street improvements as well as storm water management. The developer is proposing to use a series of storm water basins to limit the release of storm water from the site. The proposed grading and storm water management plan appear appropriate to the site. The Permit & Development Center has requested additional information to ensure the proposal meets the City's storm water requirements.
- 3. Utilities:** Water will be provided to the development from a 12" main along the west edge of the property. Sanitary sewer will be provided to the development from an 8" main across the northeast portion of the property.
- 4. Landscaping & Buffering:** The "C-2" portion of the property will be subject to the City's Landscaping Standards during the site plan review process as each lot develops. The applicant is proposing the following landscaping requirements for the "PBP" portion of the property that match the landscaping requirement of the Airport Commerce Park West "PUD" to the north.

A minimum of 2 trees and three shrubs per 3,000 square feet of open space with the following plant material requirements.

1. 10% of the trees must be 3-to-3½ inch caliper.
 2. 30% to 40% of the trees must be 2-to-2½ inch caliper.
 3. Remaining balance of trees are to be 8-to-10 foot tall ornamentals or 1½ inch caliper.
 4. Shrubs must be 18-to-24" in size and balled & burlapped or in a container.
 5. Substitutions:
 6. Evergreen trees with a minimum height of 6 feet can be used to meet the 2-to-2½ inch caliper requirement.
 7. One 1½ inch caliper tree may be replaced with 3 shrubs at a maximum replacement rate of 2 trees per acre.
- 5. Traffic/Street System:** The subject property is bound by SW 63rd Street to the west and McKinley Avenue to the south. The applicant is proposing a north/south street off of SW 63rd

Street that will eventually extend through the property to the east and connect with the future SW Connector. A cul-de-sac street would extend from this street to the south to provide access to Lots 2 through 6. The developer is not required to construct the portion of the north/south street that extends east of the cul-de-sac street. However, the developer will be required to record covenants on Lots 1 through 6 that waive the owners' right to protest a future special assessment for the construct of the street.

6. **Access or Parking:** The "PBP" Concept Plan shows Lot 1 being accessed from a single drive from the proposed north/south street and Outlot Z being accessed from the property to the north. Parking is shown between the building and SW 63rd Street. Outlot Z would be used for additional parking for the development to the north. The number of stalls and landscaping for these lots will be evaluated at the Development Plan stage. Parking and access will be evaluated for the remaining portion of the property through the site plan review process as it develops.
7. **"PBP" Architectural Standards:** The applicant is proposing architectural standards based on the requirements of the Airport Commerce Park West "PUD" to the north. This includes the prohibition of the following exterior building surface and roofing materials.
 - a. Plywood.
 - b. Composite siding such as hardboard siding.
 - c. Composite building panels such as metal faced plywood or woodcore panels.
 - d. Pre-engineered metals installed with exposed fasteners.
 - e. Metal siding.
 - f. All plastic (except signs).
 - g. Plaster (stucco).
 - h. EFIS.
 - i. Common concrete block, except for rear building walls which are not visible from a public street.
 - j. Asbestos cement shingles.
 - k. Asphalt shingles.

The submitted "PBP" Concept Plan identifies a single building located in the western portion of Lot 1. The design of this building would be reviewed in detail at the Development Plan stage.

SUMMARY OF DISCUSSION

Mike Ludwig: Presented staff report and recommendation for both the PBP Conceptual Plan and the Preliminary Plat.

Jeffrey Johannsen joined the meeting at 6:06 p.m.

Ed Arp, Civil Engineering Consultants, 2400 86th Street, Urbandale: Represented the applicant. Clarified the cross street, Stanton Avenue, and noted they are anticipating it will be brought in to a point just past the cul-de-sac until the SW Connector is put in, then the remaining segment to the SW Connector will be put in. Originally they were of the understanding that the cross connection was not necessary. Noted staff suggested a covenant with language regarding who will be responsible for building the connection when the SW Connector is put in. He wanted to be sure the covenant was not referring to the entire SW Connector.

Mike Ludwig: Noted he had not reviewed the specific language of the covenant that was proposed but noted the Commission could make it part of their motion and Legal staff would handle it also.

Tim Urban: Asked if the owner of the property would be obligated to pay to pave the segment of the connector drive if or when it is built. Also asked what would happen to McKinley Avenue in the future once the intersection is completed between the SW connector and 63rd. Asked why there is no right-of-way dedicated for realigning McKinley to connect in with the SW Connector rather than having to return and fight over it on Outlot Y.

1. Ed Arp: Noted on the street master plan McKinley does not tie into the SW Connector in the future but terminates in a cul-de-sac. Explained there could be a future connection to the north but they do not know enough about it at this time. Indicated the two purchasers are the two lots to the north. Currently there are no purchases on the properties on the cul-de-sac.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one in the audience to speak on this item.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Bruce Heilman: Moved staff recommendation on Item A.

Motion passed 12-0.

Bruce Heilman: Moved staff recommendation on Item B with the clarification that it is not the property owners' obligation to put the SW Connector street in but the section of Stanton going east from the cul-de-sac would be.

Motion passed 12-0.

Respectfully submitted,



Michael G. Ludwig, AICP
Planning Administrator

MGL:dfa

cc:
File

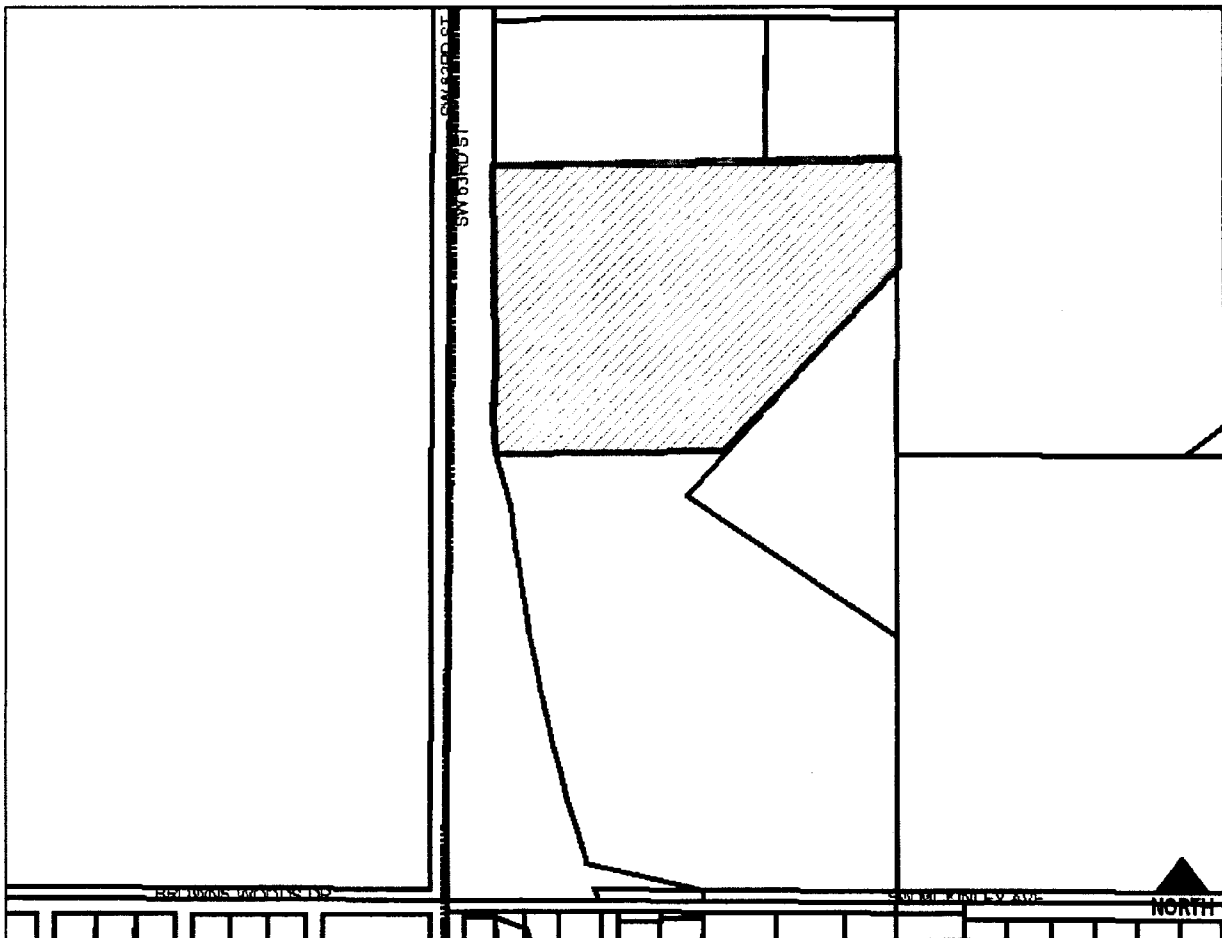
Part A

29A

Request from Cornerstone Family Church (owner) represented by Anne Berry (officer) for review and approval of a PBP Conceptual Plan for "Cornerstone Family Church" located in the vicinity of 4375 SW 63 rd Street.				File #	
				ZON2007-00175	
Description of Action	Review and approve a PBP Conceptual Plan for "Cornerstone Family Church" to allow development of 16.3 acres for office/business park use and a four (4) acre outlot.				
2020 Community Character Plan	Planned Business Park				
Horizon 2025 Transportation Plan	SW Connector from Park Avenue to Iowa 28 to add 4 lanes divided				
Current Zoning District	"PBP" Planned Business Park				
Proposed Zoning District	N/A				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	1	0	0	0	
Outside Area	0	0	0	0	
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

Cornerstone Family Church - 4101 SW 63rd Street

ZON2007-00175



27A

Item ZON2007-00175

Date 1-30-08

() () in favor of the request.

(Circle One)

RECEIVED

FEB 01 2008

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Print Name Gene Loffredo

Signature Gene Loffredo

Address 4001 SW 63rd

Reason for opposing or approving this request may be listed below:

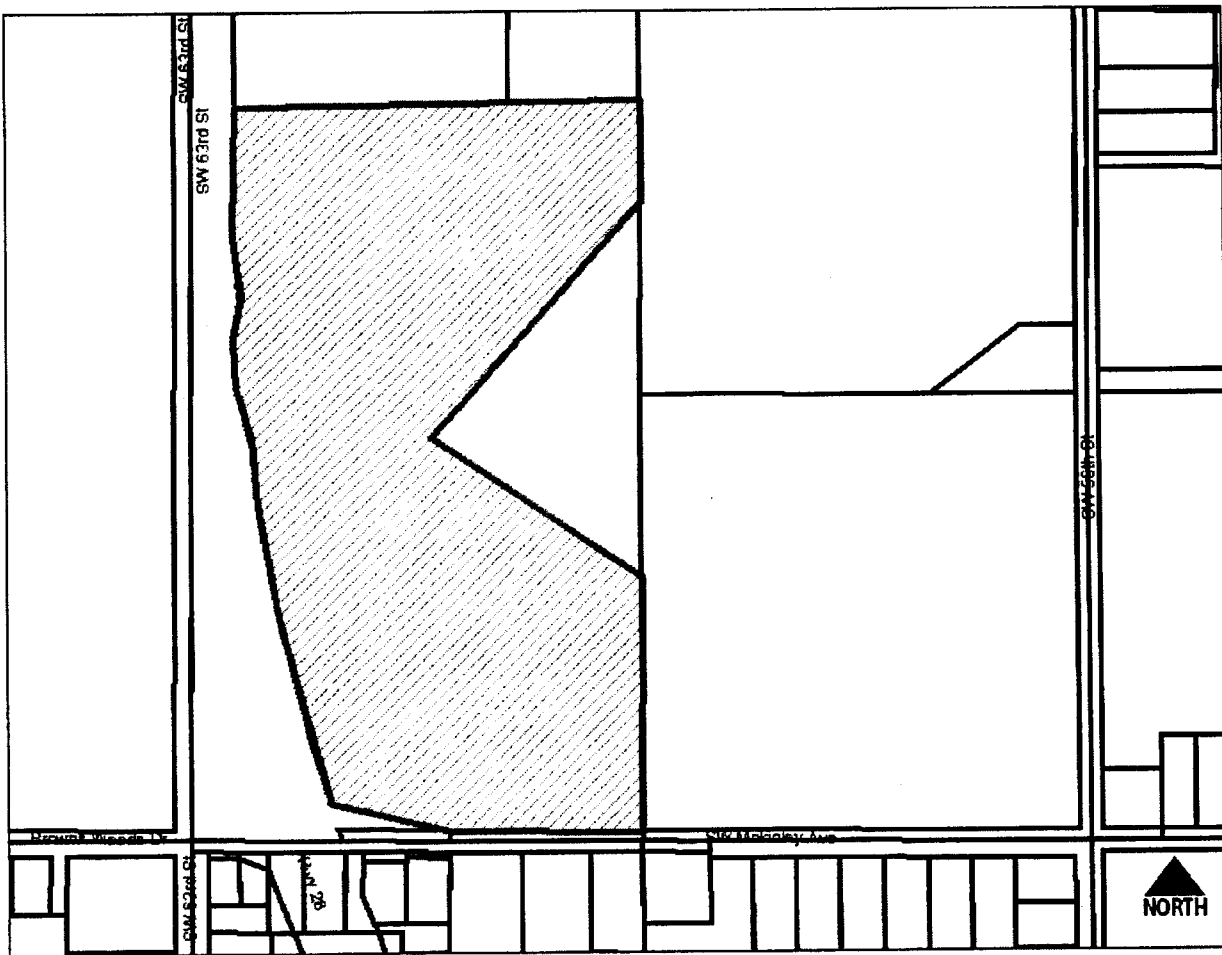
Part B

2PA

Request from Cornerstone Family Church (owner) represented by Anne Berry (officer) for review and approval of a preliminary subdivision plat "Cornerstone Family Church Plat 1" located in the vicinity of 4375 SW 63 rd Street.		File # 13-2008-1.31		
Description of Action	Review and approval of "Cornerstone Family Church Plat 1".			
2020 Community Character Plan	Planned Business Park			
Horizon 2025 Transportation Plan	SW Connector from Park Avenue to Iowa 28 to add 4 lanes divided			
Current Zoning District	"PBP" Planned Business Park and "C-2" General Retail and Highway-Oriented Commercial District			
Proposed Zoning District	N/A			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
	0	0	0	0
	0	0	0	0
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes
	Denial			No

Airport Industrial Park Plat 2 - 4375 SW 63rd Street

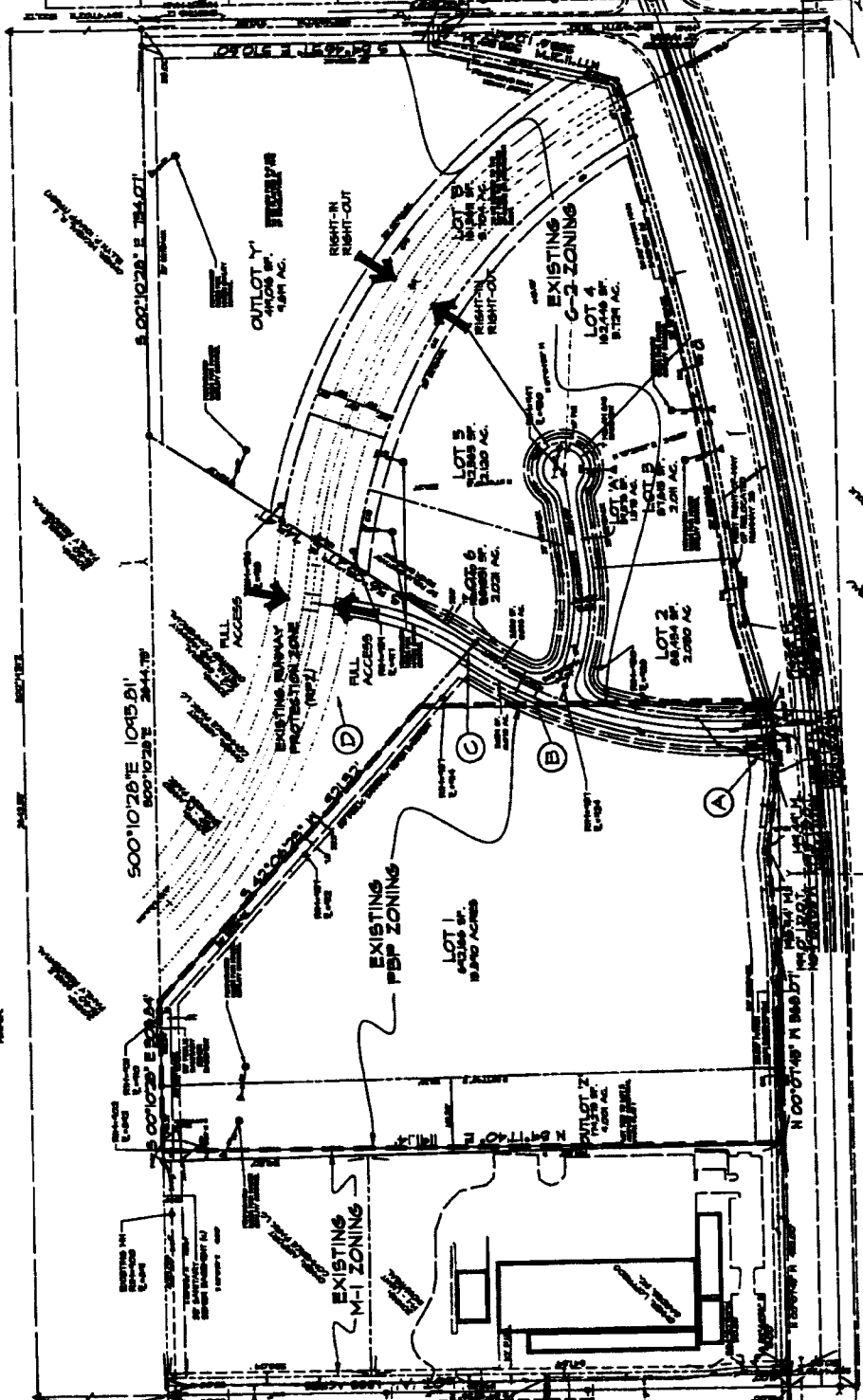
13-2008-1.31



PRELIMINARY PLAT CORNERSTONE FAMILY CHURCH

DES MOINES, IOWA
SHEET ONE OF TWO

RECEIVED
FEB 14 2008
COMMUNITY DEVELOPMENT
ITEM # 22A



RETRACTS:
IN THE CITY OF DES MOINES, IOWA, THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS DETERMINED THAT THE PLAT COMES WITHIN THE REQUIREMENTS OF THE CITY OF DES MOINES, IOWA, CHAPTER 214.01, SUBCHAPTER 214.02, AND CHAPTER 214.03, AND THAT THE PLAT IS IN ACCORDANCE WITH THE CITY OF DES MOINES, IOWA, CHAPTER 214.01, SUBCHAPTER 214.02, AND CHAPTER 214.03.

NOTES:
1. THE PLAT IS SUBJECT TO ALL APPLICABLE ORDINANCES, ORDINANCES, AND ORDINANCES OF THE CITY OF DES MOINES, IOWA, AND TO ALL APPLICABLE ORDINANCES, ORDINANCES, AND ORDINANCES OF THE STATE OF IOWA.
2. THE PLAT IS SUBJECT TO ALL APPLICABLE ORDINANCES, ORDINANCES, AND ORDINANCES OF THE CITY OF DES MOINES, IOWA, AND TO ALL APPLICABLE ORDINANCES, ORDINANCES, AND ORDINANCES OF THE STATE OF IOWA.

LEGEND:
- - - - - EXISTING
- - - - - PROPOSED
- - - - - EASEMENT
- - - - - SETBACK
- - - - - CURVE DATA

NOTES:
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